

ARTICLE 6. CONTINUING EDUCATION

Rule 1. Approved Cosmetology Educators

820 IAC 6-1-1 Continuing education credit

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 1. Credit for fulfillment of the continuing education requirement will be granted only to cosmetology professionals who have successfully completed continuing education courses offered by approved cosmetology educators. *(State Board of Cosmetology Examiners; 820 IAC 6-1-1; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3466; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)*

820 IAC 6-1-2 Application for approval as cosmetology educator

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 2. Educational institutions, organizations, or individuals applying for board approval as an approved cosmetology educator shall submit the following information:

- (1) Name, address, telephone number, and facsimile (FAX) number (if any) of the applicant.
- (2) If the applicant is a partnership, the names and addresses of the partners.
- (3) If the applicant is a corporation, the names and addresses of the officers and directors.
- (4) If the applicant is a limited liability company, the names and addresses of the members and managers.

(State Board of Cosmetology Examiners; 820 IAC 6-1-2; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3466; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)

820 IAC 6-1-3 Certificate of course completion

Authority: IC 25-8-3-23

Affected: IC 25-8-15-6

Sec. 3. The certificate of course completion required under IC 25-8-15-6 *[IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]* shall indicate the following:

- (1) Name, address, and signature of the approved cosmetology educator and provider.
- (2) Name, address, and signature of the instructor.
- (3) Name, address, and license number of the attendee.
- (4) Title of the course.
- (5) Course location.
- (6) Date of the course.
- (7) Number of continuing education credit hours completed.

(State Board of Cosmetology Examiners; 820 IAC 6-1-3; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3467; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221; filed Sep 30, 2003, 11:30 a.m.: 27 IR 516)

820 IAC 6-1-4 Course availability

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 4. All continuing education courses shall be available to all cosmetology professionals; however, a course may be limited to one (1) license type only. *(State Board of Cosmetology Examiners; 820 IAC 6-1-4; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3467; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)*

820 IAC 6-1-5 Renewal of cosmetology educator approval

Authority: IC 25-8-3-23

Affected: IC 25-8-15-2

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Sec. 5. Board approval of a cosmetology educator under IC 25-8-15-2 [IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.] expires on December 31 of each odd-numbered year. In order to renew board approval, an approved cosmetology educator under IC 25-8-15-2 [IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.] must submit a letter to the board requesting such renewal by December 1 of that year. (State Board of Cosmetology Examiners; 820 IAC 6-1-5; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3467; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)

820 IAC 6-1-6 Instructors; qualifications

Authority: IC 25-8-3-23

Affected: IC 25-8-5

Sec. 6. (a) Approved cosmetology educators shall ensure that the instructor(s) for that course shall possess at least one (1) of the following minimum qualifications:

(1) An instructor for a cosmetology school licensed under IC 25-8-5.

(2) Five (5) years of full-time experience in a profession, trade, or technical occupation relevant to cosmetology, manicuring, esthetics, or electrology.

(3) Possession of a bachelor's degree from a college or university in a related field to that in which the person is to teach or a comparable degree from a school of a foreign country.

(b) An instructor may not teach courses outside of the instructor's area of expertise.

(c) An instructor whose professional license has been limited, suspended, or revoked in any jurisdiction may not instruct a continuing education course while the disciplinary action is in effect.

(d) Any substitute instructor shall meet the qualifications of this section. (State Board of Cosmetology Examiners; 820 IAC 6-1-6; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3467; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)

820 IAC 6-1-7 Course approval

Authority: IC 25-8-3-23

Affected: IC 25-8-5

Sec. 7. Continuing education courses given by an approved cosmetology educator that is not a cosmetology school licensed under IC 25-8-5 shall be considered approved as of the date of approval by the board, and therefore course sessions predating the approval date do not qualify. (State Board of Cosmetology Examiners; 820 IAC 6-1-7; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3467; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)

820 IAC 6-1-8 Continuing education courses; review by board

Authority: IC 25-8-3-23

Affected: IC 25-8-5

Sec. 8. If an approved cosmetology educator is also a cosmetology school licensed under IC 25-8-5 and intends to offer continuing education, it must submit the following prior to offering any continuing education course:

(1) The names and qualifications of the faculty for each course.

(2) The school's experience with presenting continuing education courses.

(3) Course outlines for the subjects to be offered.

(4) A tentative schedule of classes.

(5) The fee to be charged for each course.

(State Board of Cosmetology Examiners; 820 IAC 6-1-8; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3467; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)

820 IAC 6-1-9 Course outline

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 9. Approved cosmetology educators shall prepare and distribute a course outline to the attendees. The outline shall state

the number of continuing education hours offered. (*State Board of Cosmetology Examiners; 820 IAC 6-1-9; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3467; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221*)

820 IAC 6-1-10 Record retention

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 10. (a) Approved cosmetology educators shall retain a record of attendance for all courses showing date, place, and attendee's name. This record must be signed by the instructor.

(b) Approved cosmetology educators shall maintain for five (5) years the course records required by subsection (a).

(c) Approved cosmetology educators may be asked to provide to the board copies of records required by this section. (*State Board of Cosmetology Examiners; 820 IAC 6-1-10; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3468; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221*)

Rule 2. Course Requirements

820 IAC 6-2-1 Continuing education requirements

Authority: IC 25-8-3-23

Affected: IC 25-8-16-1

Sec. 1. (a) Every cosmetology professional under IC 25-8:

(1) whose license has not been classified as inactive under IC 25-8-16-1; or

(2) who has not been granted a waiver under IC 25-8-15-9 [*IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.*];

must complete, during each four (4) year licensure period, at least sixteen (16) hours of the continuing education required by IC 25-8-15 [*IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.*] and this article, which are given by approved cosmetology educators. A cosmetology professional shall not be required to obtain more than sixteen (16) hours of continuing education under IC 25-8-15 [*IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.*] regardless of the number of licenses that individual may hold.

(b) Measurements and reporting shall be in full hours with a fifty (50) minute instruction period equaling one (1) hour.

(c) Credit toward the hour requirement may be granted only where the length of the educational offering is at least two (2) hours.

(d) No more than eight (8) hours of continuing education may be acquired during any one (1) day.

(e) A cosmetology professional shall not be entitled to any continuing education credit for a course unless the cosmetology professional attends the entire course.

(f) There shall be no minimum requirement of numbers of credit hours to be completed in each single year of the four (4) year licensure period.

(g) Any continuing education credit accumulated above the minimum requirement for a four (4) year licensure period may not be carried forward to the next four (4) year licensure period.

(h) A cosmetology professional who attends the same continuing education course more than once in the same four (4) year licensure period is only entitled to continuing education credit for that course one (1) time only.

(i) An instructor shall be entitled to continuing education credit for courses the instructor teaches. However, an instructor may not be credited for more than six (6) hours of credit for instructing in any four (4) year licensure period. Instructors may not receive credit for repeated courses.

(j) Continuing education hours credited toward license renewal must be relevant to at least one (1) of the licenses held by the individual.

(k) Sale of products is prohibited during a continuing education course. (*State Board of Cosmetology Examiners; 820 IAC 6-2-1; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3468; filed May 17, 2002, 1:15 p.m.: 25 IR 3180; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221; errata filed Nov 15, 2002, 3:37 p.m.: 26 IR 1109*)

820 IAC 6-2-2 Course subjects allowed under IC 25-8-15

Authority: IC 25-8-3-23

Affected: IC 25-8-15-4

Sec. 2. The following course subjects are determined to meet at least one (1) of the criteria listed in IC 25-8-15-4(a) *[IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]*:

- (1) Communicable diseases, where the course includes discussion on hepatitis, tuberculosis, and acquired immune deficiency syndrome (AIDS).
- (2) Disinfecting, sanitation, and sterilization.
- (3) Indiana license law.
- (4) Occupational safety standards commission (IOSHA) regulations and the safe handling of chemicals.
- (5) Accounting procedures.
- (6) Retail sales and marketing.
- (7) Business management.
- (8) Bookkeeping.
- (9) Inventory control.
- (10) Industry-related computer software applications.
- (11) Nutrition.
- (12) Advanced cosmetology.
- (13) Advanced manicuring.
- (14) Advanced esthetics.
- (15) Advanced electrology.
- (16) Advanced teaching techniques.

(State Board of Cosmetology Examiners; 820 IAC 6-2-2; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3468; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)

820 IAC 6-2-3 Specific curriculum for cosmetology professionals

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 3. (a) This section establishes the sixteen (16) hour continuing education requirement for cosmetology professionals.

(b) To qualify for license renewal, cosmetology professionals must have at least sixteen (16) hours of continuing education in course subjects listed in section 2 of this rule. The sixteen (16) hours must include at least two (2) hours in each of the following:

- (1) Communicable diseases, including hepatitis, tuberculosis, and acquired immune deficiency syndrome (AIDS).
- (2) Disinfecting, sanitation, and sterilization.
- (3) Indiana license law.
- (4) Occupational safety standards commission (IOSHA) regulations and the safe handling of chemicals.

(State Board of Cosmetology Examiners; 820 IAC 6-2-3; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3469; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)

820 IAC 6-2-4 Course qualifications

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 4. The following courses do not qualify for continuing education credit:

- (1) Prelicensing courses under IC 25-8, including those for cosmetology, manicuring, esthetics, electrology, shampoo operator, and instructor.
- (2) Examination preparation.
- (3) In-house training sessions.
- (4) Correspondence.
- (5) Motivational classes or seminars.

(State Board of Cosmetology Examiners; 820 IAC 6-2-4; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3469; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)

820 IAC 6-2-5 Renewal applications

Authority: IC 25-8-3-23

Affected: IC 25-1-11

Sec. 5. (a) An applicant for license renewal shall certify on the application that the applicant has complied with the continuing education requirements under IC 25-8-15 *[IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]* and this article.

(b) The board may request verification of any information submitted by the applicant and may request the applicant to submit evidence supporting the course credit claimed.

(c) The board may request applicants to prove information as provided in IC 25-8-15-5 *[IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]* in order to verify continuing education hours claimed in the application. Failure to do so shall subject a licensee to the sanctions provided for under IC 25-1-11. *(State Board of Cosmetology Examiners; 820 IAC 6-2-5; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3469; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)*

820 IAC 6-2-6 Board review of continuing education compliance

Authority: IC 25-8-3-23

Affected: IC 25-1-11

Sec. 6. (a) If, as the result of an audit or other review, the board determines that continuing education hours a cosmetology professional has claimed do not meet the requirements of IC 25-8-15 *[IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]* and this article, the board shall notify the cosmetology professional of that determination.

(b) A cosmetology professional, who has been notified under subsection (a), may, within thirty (30) days, submit information to the board giving all the substantive reasons in support of the cosmetology professional's position that an adequate number of hours has been obtained.

(c) A cosmetology professional who submits false information under section 5 of this rule or this section shall be subject to the sanctions provided for under IC 25-1-11. *(State Board of Cosmetology Examiners; 820 IAC 6-2-6; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3469; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)*

820 IAC 6-2-7 License reinstatements; continuing education requirements

Authority: IC 25-8-3-23

Affected: IC 25-8-4-21

Sec. 7. A cosmetology professional who does not obtain the required continuing education hours during a four (4) year licensure period does not qualify for renewal of the license unless the cosmetology professional has a waiver under section 8 or 9 of this rule. However, such cosmetology professional may cure that deficiency by obtaining the continuing education hours in the next four (4) year licensure period and applying for reinstatement of the license under IC 25-8-4-21. Continuing education hours obtained to cure a deficiency in a prior four (4) year licensure period shall not be double counted by also being included in the licensing period in progress when they are obtained. *(State Board of Cosmetology Examiners; 820 IAC 6-2-7; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3469; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)*

820 IAC 6-2-8 Waiver of continuing education requirements; licensure in another state

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 8. (a) An applicant for license renewal who is also licensed in another state that requires at least sixteen (16) hours of continuing education over a four (4) year period may apply for and receive a waiver of continuing education requirements if the applicant:

(1) requests the waiver in writing; and

(2) submits proof of completion during the preceding four (4) years of at least sixteen (16) hours of continuing education acceptable for license renewal in the state of licensure.

(b) The board may seek verification of the applicant's request for waiver of continuing education requirements under this section. (*State Board of Cosmetology Examiners; 820 IAC 6-2-8; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3469; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221*)

820 IAC 6-2-9 Inactive license

Authority: IC 25-8-3-23

Affected: IC 25-8-16-1

Sec. 9. An applicant for license renewal may request an inactive license under IC 25-8-16-1 by complying with that section and certifying under penalty of perjury that the applicant will not maintain a cosmetology salon or practice in Indiana. (*State Board of Cosmetology Examiners; 820 IAC 6-2-9; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3470; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221*)

Rule 3. Distance Learning Continuing Education

820 IAC 6-3-1 "Distance education" defined

Authority: IC 25-1-4-3.2; IC 25-8-16-4

Affected: IC 25-8-16

Sec. 1. (a) As used in this rule, "distance education" means a course in which instruction does not take place in a traditional classroom setting but rather through other media where educator and student are separated by distance and sometimes by time.

(b) Methods of distance learning education include, but are not limited to, the following:

- (1) Education by correspondence.
- (2) Video instruction.
- (3) Internet education.

(c) A provider means an individual or company that creates and delivers continuing education by distance learning methods. (*State Board of Cosmetology; 820 IAC 6-3-1; filed Sep 30, 2003, 11:30 a.m.: 27 IR 516*)

820 IAC 6-3-2 Distance education courses and providers

Authority: IC 25-1-4-3.2; IC 25-8-16-4

Affected: IC 25-8-16

Sec. 2. (a) The state board of cosmetology examiners (board) must approve continuing education courses offered by a distance learning method and the provider of the distance learning method.

(b) A licensee must complete the distance education course within one (1) year of the date of enrollment.

(c) Course subjects allowed under IC 25-8-15-4 [*IC 25-8-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.*], 820 IAC 6-2-2, and 820 IAC 6-2-3 may be taken through distance learning. However, a maximum of fifty percent (50%) (eight (8) hours) of continuing education courses will be credited toward the sixteen (16) hour requirement.

(d) The board must approve a distance education course if the board determines to its satisfaction the following:

- (1) The distance education course serves to protect the public by contributing to the maintenance and improvement of the quality of the services provided by the cosmetology professional to the public.
- (2) An appropriate and complete application has been filed and approved by the board.
- (3) The distance education course meets the content requirements as prescribed in 820 IAC 6-2-2 and 820 IAC 6-2-3.
- (4) The distance education course(s) meets all other requirements as prescribed in the statutes and rules, which govern the operation of approved courses.

(*State Board of Cosmetology Examiners; 820 IAC 6-3-2; filed Sep 30, 2003, 11:30 a.m.: 27 IR 516*)

820 IAC 6-3-3 Approval of distance education course and provider

Authority: IC 25-1-4-3.2; IC 25-8-16-4

Affected: IC 25-8-16

Sec. 3. In order for a distance education course to be approved for credit, the cosmetology educator shall submit the following information:

- (1) For course design, the following:
 - (A) A plan for submitting substantial changes in the course to the state board of cosmetology examiners (board). Substantial changes include, but are not limited to, the following:
 - (i) Expanded or reduced course content.
 - (ii) Changes in the time allotments for portions of the course.
 - (iii) Changes or redirect learning objectives.
 - (iv) Change of instructor.
 - (v) Changes in course delivery method.
 - (B) A course may provide a test and the participant must score at least a seventy-five percent (75%) to pass and receive credit for the class. Tests may have multiple choice, true/false, fill-in, and/or essays questions with at least twenty (20) questions per two (2) hours of instruction. If a test is not used, an alternate method of timing the licensee's participation must be provided to verify completion of the course.
- (2) For course delivery, the following:
 - (A) Names and qualifications for cosmetology educator, provider, and instructor of the course offered by distance learning methods. Submit their credentials, including any specific training for teaching via the specified delivery method as well as a plan for their continued professional development.
 - (B) An identity affirmation statement is required. The licensee is required to sign the statement before any certificate of completion for distance learning is issued.
 - (C) A plan for sufficient security to:
 - (i) ensure against fraudulent practices;
 - (ii) protect licensee identification information; and
 - (iii) verify that the student enrolled in the course is the one who completes the course and any required tests.
- (3) For licensee support services, information about the course, if applicable, including the following:
 - (A) Broadcasts and distance site locations.
 - (B) Faculty contact information.
 - (C) Course outline and learning objectives.
 - (D) Testing and grading information.
 - (E) Guidelines regarding what constitutes successful completion of the course.
 - (F) Homework assignments and deadlines.
 - (G) Fees and refunds.
 - (H) Prerequisites for the course.
 - (I) List of required student materials.
 - (J) A list of other support services made available to the students.
- (4) For evaluation and assessment, an evaluation form, which solicits licensee feedback on:
 - (A) the delivery approach;
 - (B) the equipment;
 - (C) suggestions for class improvement; and
 - (D) their overall satisfaction with the course.

It is required that every licensee in a distance education course be provided an evaluation form at the conclusion of the course.
(State Board of Cosmetology Examiners; 820 IAC 6-3-3; filed Sep 30, 2003, 11:30 a.m.; 27 IR 516)

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